

ENTERED

December 05, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DANNY ALLEN,

Plaintiff,

v.

MICHAEL CROW, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:24-CV-00225

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

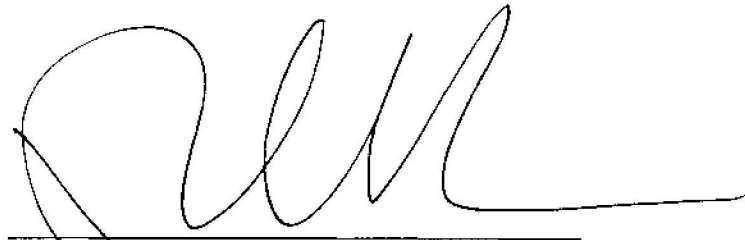
Before the Court is Magistrate Judge Jason Libby's Memorandum and Recommendation ("M&R"). (D.E. 62). The M&R recommends that the Court deny Defendant Crow's motion to dismiss with on the issue of standing, but grant the motion to dismiss with prejudice with respect to the merits of Plaintiff's Fourteenth Amendment claim against Defendant Crow in his individual capacity. *Id.* at 17.

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, L.P.*, No. 4:14-CV-02700, 2015 WL 3823141, at *1 (S.D. Tex. June 18, 2015) (Harmon, J.) (citation omitted).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 62). Accordingly, the Court

DENIES Defendant's motion on the issue of standing, but **GRANTS** Defendant's motion on the merits and **DISMISSES with prejudice** Plaintiff's Fourteenth Amendment against Defendant Crow in his individual capacity. (D.E. 46). The only remaining claims are those against the unidentified and unserved Lt. Jane Doe defendant.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas
December 4th, 2025